

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

RACHEL FRANK and DANIELLE COWETTE, on behalf of themselves and all others similarly situated,

Case No. 18-cv-447

Plaintiffs,
v.

GOLD'S GYM OF AIKENS, SOUTH CAROLINA, GOLD'S GYM OF NORTH AUGUSTA, SOUTH CAROLINA, GOLD'S GYM OF AUGUSTA, GEORGIA (BOBBY JONES EXP.), GOLD'S GYM OF AUGUSTA, GEORGIA (WALTON WAY EXT.) and GOLD'S GYM OF EVANS, GEORGIA.

[PROPOSED] ORDER DENYING DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT

Defendants.

Having considered the submissions of the parties and the arguments of counsel, this Court hereby denies Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint Due to Lack of Personal Jurisdiction and Improper Venue. Plaintiffs Rachel Frank and Danielle Cowette are residents of the State of Minnesota and received text messages from Defendants while located in Minnesota thereby causing injury to Plaintiffs. Accordingly, this Court finds it may exercise personal jurisdiction over Defendants. Defendants are ordered to Answer Plaintiffs' First Amended Complaint within fourteen (14) days of entry of this Order.

Dated: _____

Hon. David S. Doty
United States District Judge